

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference GB2 2002060 PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/002869	International filing date (day/month/year) 01 octobre 2003 (01.10.2003)	Priority date (day/month/year) 09 octobre 2002 (09.10.2002)
International Patent Classification (IPC) or national classification and IPC H01L 51/20, H05B 33/06, B32B 17/10		
Applicant SAINT-GOBAIN GLASS FRANCE		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 5 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 26 janvier 2004 (26.01.2004)	Date of completion of this report 18 January 2005 (18.01.2005)
Name and mailing address of the IPEA/EP Facsimile No.	Authorized officer Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2003/002869

I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

- ☐ the international application as originally filed.
- ☒ the description, pages 2-21, as originally filed,
 pages _____, filed with the demand,
 pages 1, filed with the letter of 10 December 2003 (10.12.2003),
 pages _____, filed with the letter of _____.
- ☒ the claims, Nos. _____, as originally filed,
 Nos. _____, as amended under Article 19,
 Nos. _____, filed with the demand,
 Nos. 1-24, filed with the letter of 18 November 2004 (18.11.2004),
 Nos. _____, filed with the letter of _____.
- ☒ the drawings, sheets/fig 1/7-7/7, as originally filed,
 sheets/fig _____, filed with the demand,
 sheets/fig _____, filed with the letter of _____,
 sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement			
Novelty (N)	Claims	1-26	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-26	NO
Industrial applicability (IA)	Claims	1-26	YES
	Claims		NO

2. Citations and explanations

Expressions such as "for example", "possibly", "preferably", "in particular", "such as", do not restrict the scope of a claim. The features preceded by such expressions must be considered entirely optional.

This report makes reference to the following documents:

D1: FR-A-2 811 778

D2: US-A-6 456 003

Document D1 relates to an electrically controllable device having variable optical and/or energetic properties (page 1, lines 12-14) and comprising at least a substrate that carries an electrically active stack of layers intercalated between a so-called "bottom" electrode and a so-called "top" electrode, each electrode having at least one electroconducting layer (page 4, lines 1-4) electrically connected to at least one current bus. At least one current bus is electrically connected to at least one current lead comprising a network of wires that extend on or inside the electroconducting layer (see the figures of D1). The current lead distributes electric energy over the surface of at least one of the conducting layers in order to convert electric energy homogeneously

in the electroactive stack layers (page 10, lines 12-15 and 30-32).

The only difference between the known device and the claimed device is that in the device described in document D1 electric energy is not converted into light energy. However, a person skilled in the art would realise, without being inventive, that the current lead in the structure of D1 can be used in an electroluminescent device and he would replace the normal electrode of such a device (see D2, figures 2-4) by the arrangement in D1 to arrive at a uniform distribution of electric energy.

The subject matter of claim 1 does not involve an inventive step (PCT Article 33(3)).

According to the applicant, the technology described in D1 is used for devices that need moderate energy intensities but is not efficient for applications which require very high intensity, as is the case of the conversion of electric energy and light energy. By contrast, the current leads in the present application can deliver very high current intensities. This argument is not convincing. The claimed current leads can include a network of wires that extend on or inside one of the layers and are suitable for distributing electric energy over the layer surface, precisely like the current leads in document D1. Hence, there is no difference between the claimed and known leads which could indicate that the ones are suitable for delivering very high intensities and the others not. Either the leads described in D1 can also deliver very high current intensities or the claimed leads cannot supply very high intensities, or claim 1 lacks essential features that differentiate the leads in the claimed device from those in the device described in D1.

The features of claims 2-6, 12-19 and 23-26 are known from document D1 and those of claims 10, 11 and 22 are known from document D2. The features of the remaining claims relate to conventional features of electroluminescent devices. The subject matter of claims 2-26 does not involve an inventive step (PCT Article 33(3)).